

Walter O'Cheskey  
 Chapter 13 Trustee  
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IN THE UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 ABILENE DIVISION

IN RE:  
 MARCUS CLAIBORNE NORTON

CASE NO: 11-10307-RLJ-13  
 HEARING DATE: 6/6/2012  
 HEARING TIME: 11:00 AM

**TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND  
 PLAN MODIFICATION (if required)**

NOW COMES Walter O'Cheskey, Chapter 13 Trustee, and files this Proposed Trustee's Recommendation Concerning Claims and Plan Modification (if required) in accordance with Bankruptcy Rule 3007 and General Order 2010-01 and would respectively show unto to the Court as follows:

**I.**

**OBJECTION -- NO PROOF OF CLAIM FILED**

The following creditors were scheduled by the Debtor(s). No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The bar date for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

Trustee Clm#	Creditor Name	Scheduled Amount	Trustee Clm#	Creditor Name	Scheduled Amount
014 0 U	CHASE BANK USA	\$11,088.76	016 0 U	TOYOTA MOTOR CREDIT CORPORATION	\$1.00

**II.**

**SPECIFIC OBJECTIONS**

No Objections

**III.**

**TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS**

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class as listed below.

Trustee Claim #	Creditor	Collateral / Description	Claim Amount	Value	%	Term	Paid / Treated
<b><u>SECURED CREDITORS</u></b>							
008 0 *	CALLAHAN COUNTY TAX ASSESSOR	PROPERTY TAXES	\$0.00	\$337,770.00			SURRENDERED
009 0 *	MORTGAGE INVESTORS COR	HOMESTEAD--STAY LIFTED	\$0.00	\$337,770.00			STAY LIFTED
<b><u>PRIORITY CREDITORS</u></b>							
003 0	INTERNAL REVENUE SERVICE	2008-2010 INCOME TAXES	\$14,568.68			60	\$297.32 PAID BY TRUSTEE
Claim term is extended from 32 to 60 months. See Trustee's Modification below.							

**UNSECURED GENERAL CREDITORS**

Trustee Clm#	Creditor Name	Claim Amount	Trustee Clm#	Creditor Name	Claim Amount
012 0 U	NATIONAL DEBT RESOLUTION-TRAVIS BICKLE PURCHASES/CHASE WAMU	\$8,906.51	018 0 U *	INTERNAL REVENUE SERVICE 2006-2008 INCOME TAXES Not provided for in confirmed plan.	\$5,006.73
019 0 U *	INTERNAL REVENUE SERVICE PENALTY Not provided for in confirmed plan.	\$4,283.60			

If the Trustee's recommendation concerning any claim differs from the amount indicated in a creditor's Proof of Claim, the recommendation is deemed an objection to such claim. Unless a timely response or objection is filed contesting the Trustee's recommendation, the objection will be sustained and such claim will be allowed only in the amount and in the class indicated.

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Any proposed changes by the Debtor that extends the term or lowers the interest rate as to any secured claim contained in the confirmed Plan must be set out in a Debtor's Objection or Response to the Trustee's Recommendation Concerning Claims and noticed to the affected creditor in the absence of a letter agreement between the Debtor and the affected creditor.

**IV.**

**TRUSTEE'S PLAN MODIFICATION**

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01 Section 8, the Trustee requests the following Modification of Debtor's(s') Confirmed Plan, subject to feasibility herein:

Trustee's Modification is as follows:

The \$14,568.68 priority portion of the IRS's \$23,859.01 claim, clerk's claim #1, shall be treated over 60 months with a monthly payment of \$297.32.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

IF AN OBJECTION IS FILED, A HEARING WILL BE HELD 6/6/2012 AT 11:00 AM CONCERNING THE TRUSTEE'S RECOMMENDATION CONCERNING CLAIMS, OBJECTION TO CLAIMS AND PLAN MODIFICATION (IF REQUIRED) (TRCC) AT THE FOLLOWING LOCATION:

VIDEO: US COURTHOUSE ROOM 2201, 3RD & PINE, ABILENE, TEXAS 79604

A PRE-HEARING CONFERENCE WITH THE TRUSTEE SHALL BE HELD AT THE SAME LOCATION AT 8:30am. ALL PARTIES ARE REQUIRED TO ATTEND THE PREHEARING CONFERENCE. ANY OBJECTIONS TO THE PLEADINGS NOT RESOLVED OR DEFAULTED AT THE PRE-HEARING CONFERENCE WILL BE HEARD BY THE COURT AT THE HEARING DATE AND TIME ABOVE. TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, SERVED ON ALL EFFECTED CREDITORS AND FILED WITH THE COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF SERVICE.

PURSUANT TO GENERAL ORDER 2010-01 SECTION 8(C), UNLESS AN OBJECTION IS TIMELY FILED AS TO THE TREATMENT OF ANY CLAIM OR MODIFICATION, THE CLAIM OR MODIFICATION WILL BE ALLOWED OR APPROVED AS DESCRIBED IN THE TRCC AND SUCH TREATMENT WILL BE FINAL AND BINDING ON ALL PARTIES.

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

I hereby certify that a copy of the foregoing Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) and Notice of Hearing and Pre-Hearing Conference on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) was this date served on the following parties electronically or at the addresses listed below by U.S. First Class mail:

Date: 4/5/2012

/s/ Walter O'Cheskey

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Walter O'Cheskey  
Chapter 13 Trustee

CALLAHAN COUNTY TAX ASSESSOR 100 W 4TH STE 101 BAIRD TX 79504  
CFS II 2488 E 81ST ST STE 500 TULSA OK 74137  
CHASE BANK USA PO BOX 100043 KENNESAW GA 30156  
CHASE PO BOX 15298 WILMINGTON DE 19850  
GMAC MORTGAGE LLC / BANKRUPTCY DEPT 4375 JUTLAND DRIVE SUITE 200 PO BOX 17933 SAN DIEGO CA 92177  
INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA PA 19101  
INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA PA 19101  
JUNE A MANN 4375 JUTLAND DRIVE SUITE 200 PO BOX 17933 SAN DIEGO CA 92177  
JUNE A MANN 550 WESTCOTT SUITE 560 HOUSTON TX 77007  
MARCUS CLAIBORNE NORTON 4110 VINEYARD DR PASO ROBLES CA 93445  
MCCREARY VESELKA BRAGG & ALLEN PO BOX 1269 ROUND ROCK TX 78680  
MICHAEL REED MCCREAY VESELKA ET AL PO BOX 1269 ROUND ROCK TX 78680  
MICHAEL REED OR LEE GORDON PO BOX 1269 ROUND ROCK TX 78680  
MORTGAGE INVESTORS COR 3451 HAMMOND AVE WATERLOO IA 50702  
NATIONAL DEBT RESOLUTION-TRAVIS BICKLE CFS II 2488 EAST 81ST ST SUITE 500 TULSA OK 74137  
PHILLIPS & COHEN ASSOCIATES 695 RANOCAS ROAD WESTAMPTON NJ 08060  
TOYOTA MOTOR CREDIT CORPORATION PO BOX 8026 CEDAR RAPIDS IA 52408  
UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH TX 76102  
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS TX 75242  
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON DC 20530  
WELTMAN WEINBERG & REIS CO LPA 175 SOUTH THIRD STREET SUITE 900 COLUMBUS OH 43215